
SENATE BILL No. 438

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-18-2-65.5; IC 16-27-1-5.

Synopsis: Definition of home health services. Exempts services provided under the infants and toddlers with disabilities program by community mental retardation and other developmental disabilities centers from the licensure requirements of home health agencies.

Effective: July 1, 2002.

Riegsecker

January 14, 2002, read first time and referred to Committee on Health and Provider Services.

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Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

SENATE BILL No. 438

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-18-2-65.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2002]: "**Community mental retardation and**
4 **other developmental disabilities centers**", for purposes of
5 **IC 16-27-1-5, has the meaning set forth in IC 12-7-2-39.**

6 SECTION 2. IC 16-27-1-5, AS AMENDED BY P.L.255-2001,
7 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2002]: Sec. 5. (a) As used in this chapter, "home health
9 services" means services that are:

10 (1) provided to a patient by:

11 (A) a home health agency; or

12 (B) another person under an arrangement with a home health
13 agency;

14 in the temporary or permanent residence of the patient; and

15 (2) ordered by a licensed physician, a licensed dentist, a licensed
16 chiropractor, a licensed podiatrist, or a licensed optometrist.

17 (b) The term includes the following:



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- 1 (1) Nursing treatment and procedures.
- 2 (2) Physical therapy.
- 3 (3) Occupational therapy.
- 4 (4) Speech therapy.
- 5 (5) Medical social services.
- 6 (6) Home health aide services.
- 7 (7) Other therapeutic services.
- 8 (c) The term does not apply to the following:
- 9 (1) Services provided by a physician licensed under IC 25-22.5.
- 10 (2) Incidental services provided by a licensed health facility to
- 11 patients of the licensed health facility.
- 12 (3) Services provided by employers or membership organizations
- 13 using health care professionals for their employees, members, and
- 14 families of the employees or members if the health or home care
- 15 services are not the predominant purpose of the employer or a
- 16 membership organization's business.
- 17 (4) Nonmedical nursing care given in accordance with the tenets
- 18 and practice of a recognized church or religious denomination to
- 19 a patient who depends upon healing by prayer and spiritual means
- 20 alone in accordance with the tenets and practices of the patient's
- 21 church or religious denomination.
- 22 (5) Services that are allowed to be performed by an attendant
- 23 under IC 16-27-1-10.
- 24 (6) Authorized services provided by a personal services attendant
- 25 under IC 12-10-17.
- 26 **(7) Services provided under IC 12-17-15 by community**
- 27 **mental retardation and other developmental disabilities**
- 28 **centers.**

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